

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

OSCAR LEE OLIVE, IV,

Plaintiff,

v.

HAYLEY MARIE ROBINSON,

Defendant.

CASE NO. 2:20-cv-00356-JLR-BAT

**ORDER DIRECTING STATUS
REPORT**

Plaintiff Oscar Lee Olive IV filed the complaint in this matter on March 4, 2020. Dkt. 1. The allegations in this complaint are primarily based on the same facts as those alleged in an earlier case that Plaintiff brought against Defendant Hayley Marie Robinson. *See* Case No. 2:18-cv-00862-BAT (“First Case”). In this case, Plaintiff further alleges that Defendant Robinson made false defamatory statements on a new forum to a new audience that post-date those alleged in the First Case. Dkt. 1, ¶¶ 14-15.

On June 29, 2019, the Court stayed both cases pending resolution of Defendant Robinson’s bankruptcy proceedings in Case No. 19-11724-MLB. Dkt. 19; Dkt. 52 (First Case). The parties were directed to submit a status report at the conclusion of the bankruptcy proceedings. *Id.* On April 17, 2021, Plaintiff Oscar Lee Olive filed a status report, attaching the Order and transcript from the trial held on November 16, 2020 and November 30, 2020 before the Honorable Marc Barreca, United States Bankruptcy Court Chief Judge. Dkt. 23, Ex. 1 (pp. 4-29) (Order and January 7, 2021 Oral Decision); Dkt. 70, Ex. 1 (First Case).

1 Judge Barreca held, in pertinent part, that Plaintiff failed to establish claims of (1) false
2 allegations of assault and theft; (2) intentional infliction of emotional distress; and (3) damage to
3 his military career and that therefore, these claims are dischargeable pursuant to 11 U.S.C. §
4 523(a)(6). Judge Barreca further held that Plaintiff's remaining claim of defamation for
5 statements made by Defendant Robinson in the "first Facebook video accusing Plaintiff of
6 sexually assaulting Ms. Klag" is nondischargeable pursuant to 11 U.S.C. §523(a)(6) and is ready
7 for a determination of damages. Dkt. 70, p. 4.

8 Accordingly, it is **ORDERED**:

9 1) The stay (Dkt. 19) is **LIFTED**. The parties shall provide an updated Combined
10 Joint Status Report and Discovery Plan as required by Fed. R. Civ. P. 26(f) and Local Civil Rule
11 26(f) **by May 20, 2021**. The parties shall refer to the Court's prior Order (Dkt. 15) regarding the
12 contents of the Joint Status Report.

13 2) In preparing the Combined Joint Status Report and Discovery Plan, the parties
14 shall specifically outline the issues remaining in light of Judge Barreca's ruling.

15 DATED this 20th day of April, 2021.

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18 BRIAN A. TSUCHIDA
19 United States Magistrate Judge
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